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THE POLITICAL PHILOSOPHY OF ARISTOTLE.

In current criticism an eminent man of thought or action is termed eminently sane, if it is intended to mark him off from other men of his class. By sanity we mean substantially what the average man means by common sense; it is the capacity to apprehend things as they are without recourse to the refinements of metaphysical subtleties against which the positivists and the inductive school generally have led a wholesome reaction. Aristotle was the first of the positivists, the first of the scientists, the first Baconian.

The cry, "Back to Aristotle," stands for a more correct method; and there is some promise now that students of political science will also follow the path of patient investigation and rigorous analysis.* The rise of the historical method and the gradual development of history into a science, promises to work out the redemption of political philosophy from the gratuitous assumptions into which it was carried by the metaphysics of the seventeenth and eighteenth centuries. Two signs of the times may be taken

* The need of a better method and of a wider scope is well urged by Professor Leo S. Rowe, in his study of "The Problems of Political Science," in the *ANNALS*, Vol. x, p. 165, September, 1897.

as an earnest of this return to a more sober thinking: first, the absence of any present writing of note which attempts to formulate into a system the older political philosophy; and second, the earnest effort made in all of the civilized countries of the world to secure a larger conception of the social relations and a deeper insight into the functions of the state as a constituted guardian of the welfare of the individual man, a constituted guardian which, while it is not primarily a finder or provider, does yet powerfully aid individual man both directly and positively in realizing himself, that is, in attaining his ends.

A return to Aristotle stands also for a wider conception of the state. Underlying much of our current individualism is a belief in an abstract individual, an utter neglect of the real individual. Man is a political, *i. e.*, a social animal. The individual apart from all relations to a community is a negation, a logical ghost, a metaphysical spectre. Over against the individual we are wont to set the state; a point of view to be sure which we can take; but the antithesis between the state and the individual is only a partial truth, and a partial truth when taken for the whole truth becomes a falsehood. Similarly there is an assumed antithesis between the state and society which has been much overworked. The antithesis has doubtless a subjective value; it has become a common-place of German writers on public law and ethics, and it may aid in clearness of thinking at certain points, but it is doubtful whether it has any historical reality.*

I do not object to the wide conception of society that is commonly entertained but to the too narrow conception of the state. The state is society in its best form. The state is the only form of society possessing sovereign authority, individuality, independence, and self-direction; it is the authoritative and positive form of society; the state

* Cf. J. S. Mann quoted by Ritchie, "Principles of State Interference," Appendix, Note A.

considered as a government is an organ, but the state considered as a society is by metaphor an organism. Admirably and with a scientific fidelity, that the student of law will appreciate more justly than the student of history, Aristotle defines the state, the city-state it was in his day, as "that association of men which is the highest of all associations and includes all." I know that in this contention for a wider concept of the state I am placing myself outside of the list of eminent authorities in modern political philosophy. But as Mr. Ritchie observes, in his criticism of Herbert Spencer's "*Man vs. the State*," there are some things that demand more respect than distinguished persons—philosophy itself. Further studies, like that of Dr. Willoughby, may reclaim part of the ground which some are too readily abandoning to the sociologists.

When Aristotle said, "Man is a political animal," he meant something quite different from what those words mean to us. We get his meaning more accurately if we translate him into our language: Man is a social animal. This antithesis between the state and society he practically ignores. Plato, however, ignores it more emphatically. Aristotle seems at times to have some intimation of it, but when he comes to work out his theory of the best state as distinguished from the best constitution, he gives most of his attention to what we are wont to call economic and social questions. Likewise in our own day the burning questions in politics are almost the exact opposite of those which our literary political philosophers are wont to hold up as the true data for the construction of political science. Those questions which it is common for them to say have no place in politics, questions of a social and economic character, are in the very foreground of political discussion, and if they do not form an integral part of politics proper, they must yet have their recognition by the statesman who confronts them in his career. Adam Smith and his forerunners confounded economics with politics and gave birth to a hybrid which,

until recently, their successors have uniformly called political economy, while on the other hand Aristotle confounded politics with economics by giving attention to a variety of topics which a modern scholar would rule out of politics. Auguste Comte, was correct when he declared that Aristotle in his "Politics," Montesquieu in his "Spirit of Laws," Condorcet in his "Sketch of the Progress of the Human Spirit in History" and economists pre-Smithian and post-Smithian, have each and all alike attempted to construct a philosophy of society which to Aristotle was the state, and which, to most moderns, is in antithesis to the state. The question respecting the various fields to be occupied by the several so-called political or social sciences seems to me should be held to be still an open one. When their complete differentiation shall have been established, and when the day of their maturity shall have come, we shall understand their subordinate no less than their co-ordinate relations; their synthesis no less than their analysis.

Two observations by Aristotle, respecting the study of political science or the art political, require our notice: the one respecting the student,* the other respecting the teacher† of political science. He intimates that to be ready for the study of the art political a man should have a wide experience and a general acquaintance with affairs. He suggests that he is best prepared for the study of the art political whose education on all matters has been universal.

"And hence it is," he adds, "that a young man is not a fit student for the art political, for he has had no experience in matters of daily life, with which matters our premises are concerned, and of which our conclusions treat . . . And this is true of him who is young in character equally with him who is young in years."‡

The other difficulty lies with the teacher or the teaching of political science. In connection with the discussion of the best education, he inquires:

* "Nicomachean Ethics," Bk. i.

† *Ibid.*, Bk. x.

‡ *Ibid.*, Bk. i. (Williams' translation, p. 3).

"But from whom can we learn political science? To this the right answer would seem to be that we must learn it from politicians. But then," he proceeds, "we must remember that there is a clear difference between political science and all the other sciences and arts whatsoever. For in all the other sciences, as in medicine, for instance, and in painting, we find that the same persons both teach the general theory of the science and also practice it as a profession."

In the case of political science, although the sophists profess to teach it in theory, yet no one of them is actually engaged in its practice—politics as a profession being in the hands of statesmen, and it would seem that statesmen are not guided in their practice by any knowledge of scientific principles,

"but rather that they have some special aptitude for the subject, combined with a knowledge of certain empiric rules."

Furthermore

"it would seem that those who desire a thorough knowledge of political philosophy need some acquaintance with the actual practice of states. As for those among the sophists who profess political philosophy, the last thing that one would say of them would be that they teach that which they profess. As a matter of fact they have not the least knowledge either as to what the science is or with what it is concerned. Else they would never have identified it with rhetoric."*

It is from a sense of their fitness and importance, and because they give so admirably the Aristotelian point of view, that I have permitted myself to make these extracts from the "Nichomachean Ethics." For in these paragraphs we have the introduction to "The Politics."

In the last paragraph of "The Ethics" Aristotle promises to enter upon a consideration of political science himself in order that we may "complete, as far as in us lies, that branch of philosophy, the object of which is man." And he submits the following program:

"We will first attempt to examine in detail all such particular statements of our predecessors as may commend themselves. And we will

* *Ibid.*, Bk. x (Williams' translation, pp. 325-26).

then proceed to frame a collection of constitutions, and to derive therefrom certain rules as to what are the causes by which a state is preserved, and what are the causes by which it is destroyed; and further, to determine what modifications must be made in these rules, so that they may be applicable to each particular form of constitution. We will then consider for what reasons it is that some governments are successful and others not. . . . We shall then be in a better position to determine, not only what is the absolutely best form of government, but also in what manner each particular form of government must be ordered, and of what laws and what customs it must make use. Here then we leave the ethics and begin the politics."

Sir Frederick Pollock places two great achievements to the credit of Aristotle: first, that he separated politics from ethics; and, second, that he adopts a correct method. Of the first of these it must be said that Aristotle does not carry the separation of ethics and politics as far as some modern scholars do; he regards ethics as "in a sense a political inquiry."* Aristotle constantly reckons with the ethical element in his discussion of politics, and he does this without losing his bearings; he does not cease to treat of the state, if he reckons at times with questions of character and conduct, with purpose and motive. His method is historical, critical and constructive, and is fairly indicated in the paragraph above which we called his program. His complete neglect of artistic form, and his adherence to "essential naked truth," induced Wilhelm von Humboldt† to say that he was un-Greek.

"The Politics," which in ordinary book form covers something over two hundred pages, has come to stand in certain generally accepted divisions and subdivisions, known as books, chapters and paragraphs; ‡ and while no rigorous lines mark the eight books off from each other, each has

* See "Nichomachean Ethics," introductory chapter of Book i (Welldon's translation, p. 3).

† In a letter to F. A. Wolf, dated January 15, 1795, "Works," Vol. v, p. 125.

‡ The references to the text of "The Politics" in the foot-notes which follow are to Jowett's translation. The translations of the Greek text are, however, not always in the words of Jowett. In a few instances the writer has adopted the rendering of other students and occasionally he has ventured a translation of his own.

essentially one leading topic which may serve to state its title. These I summarize as follows: first, the origin of the state and the elements of political and social economy; second, the study of constitutions ideal and real, or political history and the history of political literature; third, the ideal constitution; fourth, the forms of government; fifth, political revolutions, or the permanence of governments; sixth, two of the forms further considered, democracy and oligarchy, and administrative machinery; seventh, the conditions of the state, or the ideal state; eighth, education. Now these eight books may be more logically grouped under four or five heads. Leaving the first two as they stand, merging the fourth and fifth and part of the sixth with the third, and dividing the remaining three into two, placing the seventh by itself, and a part of the sixth with the eighth, we should have five parts. This rearrangement would place the several divisions more in harmony with what is now the customary rubric for the discussion of the several topics. Thus arranged the order of topics would be: first, the origin of the state and the elements of political and social economy; second, political history and the history of political literature; third, government more narrowly, constitutional law with some attempts to state a political theory; fourth, the ideal state, dealing with the life of the state behind the constitution, itself conditioning the constitution; fifth, administration, of which the chief subjects treated are administrative agencies at the end of book sixth and education in the eighth book. The first of these parts corresponds to what the sociologists are recently claiming as their special province. The second and third of these parts constitute the body of the work and deal primarily with the government of states. The fourth part, answering to the seventh book, is perhaps the portion of "The Politics" least understood. The fifth part, considered as a discussion of administration, is very incomplete. Our further discussion we will group under these five headings.

I. The Origin of the State and the Elements of Political and Social Economy. The definition of the state Aristotle formulates substantially as follows : the state is that association (*κοινωνία*) which is the highest of all associations, and includes all, and aims at the highest good.* Human society can be resolved into two ultimate elements, the sexual relation and private property. Upon these two relations the state is founded. The first is necessary for the continuance of the race, and both the family and property are necessary for its welfare. Hence two preliminary sciences detain us in our investigations of the organization of government, namely: the science of the household, family, the science of association or social relations, shall we say sociology; and the science of property, of wealth and wealth-getting (chrematistic). In the language of our day general sociology must precede the study of politics. Each of these two subjects are then sketched in outline with an admirable insight. We are promised a treatment of the household under these headings: the master and slave, husband and wife, parent and child—titles which to a law student suggest a chapter in law, but are meant by Aristotle to outline the fundamental human association, the fundamental social unit, the family as the ancients knew it. The treatment of this subject stops with the first topic, and we are left, as so many times we are left in reading “The Politics,” with unfulfilled expectations.

In the chrematistic, as he calls the second of these preliminary sciences, Aristotle discusses the production of goods, the organization of exchange, and the proper views that should be held respecting wealth. The distribution of wealth is indirectly treated with exchange, and consumption is discussed exclusively from the ethical point of view. In husbandry (agriculture) household management and chrematistic overlap.

The origin of the state is accounted for as the fusion of villages, which are themselves a fusion of households; and

* Bk. i, Cap. i, § 1.

the progressive and advancing group is in each instance associated with a wider organization of property. The initial association is the household, and it exists to meet the immediate wants of the day; its members are "sharers of the meal bin." The second step in the series is an aggregation of the household, which is the village, the village community. The third step is an aggregation of villages, which is the city, the city-state. The fourth step has been taken since the time of Aristotle, the aggregation of city-states into the territorial state.*

In the first book of "The Politics" appears a description of the patriarchal family as archetype of the state which Sir Henry Maine himself could never have excelled:

"Our city-states were originally governed by kings, as also are barbarian tribes to this day; for they were an aggregate of units governed by kings. For every household is governed by its oldest member as by a king, and thus the offshoots (*ἀποικία*) were similarly governed through the sympathy of kinship. And this is what Homer means: 'Each man is the oracle of law to his children and to his wives.' . . . This is the reason why men say that the gods are governed by a king, for men themselves are either still subject to a king or were so in ancient times." †

As the lesser groups are natural, argues Aristotle, so is the largest and all-inclusive one, for it is the end of the lesser in as much as "the completed nature is the end." Hence it is evident that the state is one of nature's productions, and that man is by nature a social animal, a city animal (*πολιτικὸν ζῷον*), and that the man who is without a country (*ἄπολις*) by nature and not by mere accident is

* Professor Burgess, "Political Science and History," *American Historical Review*, April, 1897, p. 403, says aptly: "The Roman *imperium* inaugurated the period of country states; and the period in which we live is the period of national country states." But another remark of Professor Burgess, in the same connection, that "etymologically the phrase [political science] means the science of municipal government," can not be taken as strictly accurate. It means *more*, etymologically, than the science of municipal government by just as much as the classical city-state was *more* than a municipality. The concept municipal government in our day is better defined by the term municipal administration.

† Bk. i, Cap. ii, § 6-8.

certainly either worse or better than man.* The impulse toward association of some sort is natural to all men, but as Lester F. Ward might say, it needs psychic direction. The Greeks therefore ascribed a fundamental importance to the law-giver as organizer of society. "The first organizer (*σοστήσας*) was the author of the greatest blessings." † Justice is political and its administration the very order of political association.

II. Constitutions, Ideal and Real. Political history and the history of political literature would be a fitting description of the scope of the second book of "The Politics;" but the book can hardly bear so ambitious a title. Of the ideal constitutions, that is, those proposed in speculative political literature, he treats the opinions of three of his predecessors, Plato, Phaleas and Hippodamus, with considerable fullness. Hippodamus, who is praised for having invented the art of planning cities, was one of the first city engineers and practiced the art of laying out the streets into squares or blocks. Aristotle thinks it worth his while to inform us that he wore "flowing hair and expensive ornaments."

Quite unlike Plato, Aristotle determined to discard no institution like the family or property which was sanctioned by immemorial usage. Communism in the family relation would lead to a grotesque confusion; individual interest in the general welfare would be sacrificed, and society itself become impossible. Of community of property he speaks with more tolerance. He enumerates three kinds of communal property: common property of products with private property of land; common property of land with private property of products; or, thirdly, both land and product may be common. But none of these will answer as a system. Our present arrangement of private property if improved by good customs and good laws would be far better. Some of his maxims, old perhaps in his day, are as significant as ever:

* Bk. i, Cap. ii, § 8-10.

† Bk. i, Cap. ii, § 15.

"Nothing is so well cared for as that which is cared for for oneself." "Of the two qualities which chiefly inspire regard and affection, that a thing is your own and that you love it, neither can exist in a communistic state."

Many evils are charged to private property for which it is not responsible. The real cause of existing evils is not private property but the wickedness of men. Rich men should be taught the pleasure of giving, and the virtues of liberality and temperance should be cultivated. Communism may be wisely applied to slaves and the lower classes in order to hold them in subjection, a view which the master class in slave-holding countries in our times have shared with Aristotle. After this review of Plato's "Republic," "The Laws" of Plato are examined, but not in the spirit of a generous critic. The following views of Aristotle appear from a summary of the criticism: that a state cannot exceed certain bounds; that the treatment of foreign relations is a constituent part of political science; that the doctrine of population must be discussed in a theory of the state; that a good constitution is made up of many elements, of balances and checks. For example, to illustrate the last view, he observes that the constitution proposed in "The Laws" has in it no element of monarchy, that it leans too hard to oligarchy in its electoral college.

Of real constitutions that of Sparta seems the favorite one, but others are cited. The criteria for testing a constitution are these: Is its end good? Are the laws consistent with this end? Is there a leisure class who can see to the conduct of the state? Only the last of these questions calls for discussion. That there should be a leisure class seems clear to Aristotle, but he regards the question of their support a perplexing one. But he apparently finds a solution in the existence of a slave class for the support of the governing class. The idea of supporting only a distinct and limited class of public servants does not appear to have been grasped by the thinkers of Aristotle's time, much less that this class

should be supported by an equitable and proportionate contribution of the members of the state. It is evident that public finance whether regarded as an art or a science was in its infancy. The constitutions of Sparta, Crete and Carthage are critically reviewed. All the political writers of antiquity were profoundly impressed by the Spartan constitution, but our critic could not view it with unqualified favor. There was perhaps a vein of humor in some of his strictures. The second book closed with a cursory and rambling mention of political writers and legislators. Not even the greatest of men can make a science out of nothing, and a perusal of this book of "The Politics" reveals in a measure the debt of Aristotle to his age.

III. Government. Broadly stated and in a modern spirit we should say that the subject of the third, fourth and fifth books and of a part of the sixth is government with an incidental discussion of the wider conception of the state. The central thought of the discussion is the constitution or constitutions (*πολιτείας*), whence politics.

1. Distinction between state and government. Aristotle had undoubtedly before him the distinction between state and government. The former appears constantly as the city (*πόλις*) while the latter is referred to variously as polity, constitution or rule (*πολιτεία, πολιτεύμα, ἀρχή*). If we wish in the study of politics, he says in substance at the opening of the third book, to determine the various forms of government, our first step should be to consider the state (*πόλις*). For different views are taken of the state crediting now to the state what should be predicated of the government, that is, of the oligarchy or the despot it may be.

"Now the whole business of the statesman or legislator is, we see, concerned with the state; and the government of it or constitution is a particular organization of the men who live in the state." *

In the third book Aristotle discusses the ideal constitution. In the seventh he discusses the ideal state. In the discus-

*Bk. iii, Cap. i, §1.

sion of the ideal constitution, he asks who should have a share in the government and how should the government be organized and to what purpose; in the fourth and fifth books and in a part of the sixth, he considers the forms of government and their permanence. In the seventh book he inquires into the nature of the state as that lies back of the constitution, to use the forcible words of Burgess, he inquires into the conditions of the state and investigates problems of soil, climate, population, situation, and a host of problems which certain moderns rule out of political science because forsooth, the subject of their inquiry is not the state but the government.

2. Definition of citizenship. In accordance with his method before he proceeds with the study of the constitution he wants to know the elements out of which it is constituted and into which it may be resolved, and these he finds to be the citizens. But what is a citizen (*πολιτῆς*)? He sets himself to return an answer to this question with a gravity which shows that already in his day the literature on this topic was large and opinion divided. But his conclusion is definite. A citizen is one who shares in indefinite office, one who takes part in the government as *dicast* and *ecclesiast*, that is, as juror or assemblyman. Those who have the right of suffrage and can sit on juries would be a modern version of the Aristotelian test of citizenship. It is conceded that this test applies best to democracies, for in some form of governments the indefinite office practically disappears as the *demos* is not recognized at all where there are no regular assemblies or only called ones, and justice is administered by special boards. But it will still be true that the holder of the most general office will be a citizen; political status, in short, is an essential condition of citizenship according to Aristotle.

3. The identity of states. On his answer to the question which he raises respecting the identity of states modern politics has left him sharply behind. Whether a state is the

same or not the same he says depends on the *identity of constitutions*. That his answer is not satisfactory to himself appears from his hedging about the repudiation of contracts. His answer is all the more unsatisfactory because his distinction between state and government should have led him to a different view; but it is evident that in this respect he shared the weakness of certain distinguished modern writers who state clearly and emphasize broadly the distinction between the state and the government and then proceed to neglect at once the distinction drawn. For a clear answer to what constitutes the identity of states we are no doubt most indebted to the canons of international law, a service which, by the way, will not long stand by itself. The present tendency in literary political philosophy to abstract the state, will likewise have its permanent refutation from the imperative realities underlying our data for that branch of political science which deals with the relations of states to one another.

4. The relation of ethics to politics. Aristotle's conception of the relation of ethics to politics cannot be satisfactorily discussed in the few words which can be given here to the question which he so often asks: Is the virtue of a good citizen and of a good man the same? It does not appear that his answer is always the same. His answer in the main is undoubtedly an affirmative one, but there are phases of the question which evidently perplex him, and he attempts discriminations and distinctions. For example, in the fifth book, in urging high and specific qualifications for office, he remarks: In the choice of a general, we should regard his skill rather than his virtue; but in selecting a custodian of the public treasure we should follow the opposite rule.*

5. The functions of government or the ends of the organized state. These are defence, the administration of justice including repressive justice, that is, police, and the general

* Bk. v, Cap. ix, § 10.

welfare. The chief end of the state, that is, its latest or highest end is culture. In the words of Aristotle, "The state exists for the sake of living well." The state as the highest of human associations and including all others, is not only for the sake of life, but for the sake of good life.

"Man is by nature a political animal, that is a city animal, a social animal. And, therefore, men even when they do not require one another's help desire to live together, and are brought together by their common interest even in proportion as they attain to any measure of well-being." *

"It is clear then that a state is not a mere society, having a common place, established for the prevention of crime and for the sake of exchange. These are conditions without which a state cannot exist; but all of them together do not constitute a state, which is a community of well-being in families and in aggregations of families called villages or communes, for the sake of a perfect and self-sufficing life." †

To what extent Aristotle believed in public expenditure for the common good, appears from what he has to say on virtue and public education. Like other Greeks he emphasizes with earnestness the æsthetic element in social culture.‡ All public works must, whenever practicable, be beautiful as well as useful.

6. The forms of government or the forms of the organized state. The form of the state is determined by its constitution, that is, by its form of government. Aristotle's enumeration of the forms of government is probably the most widely known part of the politics and is commonly taught in our elementary schools. Governments are classified as true or false according to their end, and they are: The true or normal forms—monarchy, aristocracy, polity; the false or abnormal forms—tyranny, oligarchy and democracy. The last false form has been described as ochlocracy to distinguish it from polity which may be described as

* Bk. iii, Cap. vi, § 3.

† Bk. iii., Cap. ix, § 12.

‡ In his "Theory of Social Forces," Cap. v, § 7, Professor Simon N. Patten calls attention to the importance of this factor in the promotion of the general welfare.

democracy in its best form. Aristotle comments *in extenso* on the relatively best form and on the natural fitness of the several forms for differing conditions and peoples; and his observations touching these important topics still rank easily among the best that has been thought and said by political philosophers of any time. One of the latest tributes by a competent critic to Aristotle for his thoroughgoing analysis of government is paid by Mr. Godkin in his recent essay on "Democratic Tendencies." * Aristotle knew, too, that his three fundamental forms were, after all, but bold generalizations, and that each particular state was organized by a composition of all the elements, *e. g.*, the legislature might be aristocratic, the chief courts democratic, and the executive head a monarch. There is indeed some danger that in passing criticism upon particular doctrines of "The Politics" the critic will find himself engaged in an attack upon a legendary instead of a real Aristotle, for Aristotle may suffer at the hands of politicians much as Ricardo has suffered from economists who have never taken the time and the pains to read him carefully.

7. The relatively best form. Aristotle is profoundly attracted to democracy. He holds distinctly that supreme authority should ultimately rest with the many and not with the few, and he thus decides in favor of polity, his third form, as the absolutely best. The keynote of his constitutional theory is found in the following sentence: "The only stable principle of government is equality according to proportion (qualitative as distinguished from quantitative equality), and for every man to enjoy his own." We are left somewhat in doubt as to the meaning of equality according to proportion. The distinction corresponds to the arithmetical and geometrical ratios upon which justice is based in the "Nicomachean Ethics," and is practically incomprehensible at best by the modern mind; it is a Pythagorean concept which can at any rate not be understood without

* *The Atlantic Monthly*, February, 1897.

a sympathetic familiarity with Greek philosophy. His recognition of private property as a corner-stone in social organization is more readily apprehended by modern thought. All we can definitely say is that Aristotle is aware of the dangerous quality of the formula of human equality "when applied indiscriminately to all stages of society and all sorts of men." He is aware too, as Professor Jowett observes, that democracy represents an irresistible trend in history and he desires to impose checks and limitations for its guidance. In support of an extensive political status and a wide rule of the many he makes citations the import of which is that many heads are wiser than one. "But, by Heaven," he suddenly exclaims, "in some cases this is impossible of application; for the argument would equally hold about brutes."* Therefore to numerical equality he opposes proportional equality; instead of a mere head for head count wealth and education and merit are to be regarded. Citizens are to have powers and rights in proportion to their qualities, inclusive of their status and possessions. In short, he modifies the supremacy of numbers by subordinating all to the order of reason, to law.

8. The supremacy of law. To the Greek mind, law in its widest sense was the order of reason. Sovereignty must therefore lie with the law, and ought not to be vested in persons; but sovereignty as ordered reason should gain expression so that great things be not left to caprice. Law thus blended with religion, morality and public opinion; and much of what was due to national history and character, to the silent impact of society upon the individual, was ascribed to the direction of law. "We have here," as Butcher observes, "not a conception of law upon which a system of jurisprudence could be based, but one on which a theory of society might be reared."† Well might the orators declare that democracy in its true idea was the reign of law, and a hard headed

* Bk. iii, Cap. xi.

† For an admirable statement of the Greek idea of law as an expression of reason, see S. M. Butcher, "Some Aspects of the Greek Genius," pp. 53-60.

Greek like Aristotle could say: "He who bids the law rule may be deemed to bid God and reason rule."

But law also spoke in terms of stern compulsion. Law as the order of the universe gained expression in statutory enactments or in command of king, council, or assembly. This positive announcement of the law through governmental agency was not always complete and perfect. So there was place left for emendations of the law regarded as formal expression of the will of governments or peoples; and progress in adaptations "which experience suggests" was provided for. There is too, in "The Politics," a recognition of the distinction between positive law and its administration. The training of judges is advised and the necessity of occasional decisions in equity is understood.

To the writer, no passages in "The Politics" have a greater charm than those paragraphs in which the customary and the written law are balanced against each other, since they reflect the two-sided conception of law as the order of the universe and imminent in human nature, and law as positive enactment or written law. Aristotle exalts the authenticity, the authority of customary law, and he expresses the following remarkable opinion:

"Customary laws have more weight and relate to more important matters than written laws, and a man may be a safer ruler than the written law, but not safer than the customary law." *

This is akin to the respect and reverence which many a thoughtful lawyer develops for our English common law.

9. Political revolution or the permanence of constitutions. Aristotle seriously studied the conditions of Greek political experience and pointed out with minute care the disorders common to the Greek city-states. His treatment of political revolutions is in no sense what modern political philosophy discusses under the title, the right to revolution; it is rather an analysis of political revolutions as to their

* Bk. iii, Cap. iii, § 17.

nature, their causes and occasions, their results and the means of avoiding them. He did not think deeply enough however when he said that if we know the causes of the ruin of states we know the remedies.

IV. The Ideal State. The attempt to describe an ideal state leads to a consideration of the life of the state behind the constitution, but itself conditioning the constitution, that is, the form of government. In order to show the significance of this topic in the discussion of political theory, it ought to be the subject of an entire paper. I can only indicate the suggestive method of Aristotle's analysis. The conditioning forces of the state Aristotle seeks to find: In an examination of the population, the social population, its composition and constitution; in a consideration of the territory, its character, climate, situation, fertility, extent, its economic resources and conditions; in a study of its industrial organization, its political economy, using the phrase here in the concrete sense as distinguished from the abstract science which we can better designate as economics; in its social institutions, its moral standards, its religion, its family life, and its system of education. In this seventh book Aristotle comes back to a number of fundamental problems considered in the introductory book; and we may say of the seventh book as we said of the first, that it occupies a field which is in part claimed by the sociologist.

V. Administration. I have placed the eighth book with the end of the sixth to give our modern point of view, but this cannot be regarded as Aristotelian. In Aristotle's discussion the treatment of education grows out of his attempt to construct an ideal state. Both Plato and Aristotle merge the construction of an ideal state into a system of education. They accord a high place in the state to education, "whereas, in modern treatises on politics, education is generally banished as being a part of another subject or a subject by itself." To Aristotle as well as to Plato education was a

part of the constitution. For both its form and its permanence were determined by educational aims and ends.

“But of all things which I have mentioned that which contributes most to the permanence of institutions is the adaptation of education to the form of government.” *

Modern scholars can still turn to the book on education to find both current ideas in happy phrase, and suggestion of educational philosophy and method. But of the other subjects, the magistracies or the civil service, which can be classed here, little can be said. He barely enumerates the magistracies and only incidentally describes their functions. His ideas of efficiency of service were extremely crude and primitive. He advocated a more than Jacksonian democracy when he proposed that offices should rotate semi-annually. There are scattered and incidental references to other subjects which properly fall under administration, and an exhaustive essay on “The Politics” would require that these be pointed out.

What now is our conclusion touching the aim and scope of “The Politics?” We have reviewed the analysis of the initial elements of the state, which Aristotle makes the bases of certain auxiliary sciences, which we now call sociology and economics, and which he regards as forming a necessary prelude to the study of politics, that is, the study of the organized state which is the largest of all associations and which includes all the rest. We have taken a brief look at what had been thought and said by the predecessors of Aristotle and what had been inwrought into the political experience of his time as typified by certain concrete constitutions like that of Carthage, Crete and Sparta. We next set ourselves the task of following Aristotle in his discussion of the state as organized for purposes of government, and we sketched, though briefly, the following topics which form the body of his great work: The distinction between state

* Bk. v, Cap. ix, § 11.

and government; the definition of citizenship; the identity of states; the relation of ethics to politics; functions of government or the ends of the organized state; forms of government; the relatively best form; the supremacy and authority of law, and the permanence of constitutions. If the discussion of the state had stopped here, would it not be necessary to concede to the writer of "The Politics" the rank of a great political philosopher? But the discussion of the state did not stop with a discussion of the state as organized. In the closing books of this masterpiece of the classical age, we find a discussion of the state which raises many of the questions that are engaging the attention of political philosophy to-day, a discussion of questions that lie back of the constitution and in a manner determine it, a consideration of ways and means of social amelioration, and a prescribing of a régime of education which only states of the nineteenth century have come in a measure to incorporate. And finally, has Aristotle anything to contribute to the classification of the political sciences at the present time? Do we not yet, in accordance with principles laid down by him and in accordance with his method, distribute the field of investigation that lies back of and outside of the constitution among a group of special sciences, which we can call social if we will, but which we may, with no less propriety, call political?

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